



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश शासन द्वारा प्रकाशित

शिमला, सोमवार, 29 अप्रैल, 1963/9 वैशाख, 1885

### HIMACHAL PRADESH ADMINISTRATION

#### LAW DEPARTMENT

#### NOTIFICATION

*Simla-4, the 4th February, 1963*

**No. 1-18/62-LR.**—The Defence of India (Second Amendment) Rules, 1962 and Defence of India (Employment of Technical Personnel in National Service) Rules, 1963 as published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 28th December, 1962 and 11th January, 1963 respectively are hereby republished in the Himachal Pradesh Gazette for the information of general public.

S. R. MAHANTAN,  
*Under Secretary (Judicial).*

#### GOVERNMENT OF INDIA MINISTRY OF HOME AFFAIRS

#### NOTIFICATIONS

*New Delhi, the 28th December, 1962*

**G.S.R. 1813.** In exercise of the powers conferred by section 3 of the Defence of India Act, 1962 (51 of 1962), the Central Government hereby makes the following rules further to amend the Defence of India Rules, 1962 (published with the notification of the Government of India in the Ministry of Home Affairs No. G.S.R. 1465, dated the 5th November, 1962), namely:—

1. These rules may be called the Defence of India (Second Amendment) Rules, 1962.

2. In rule 2 of the Defence of India Rules, 1962 (hereinafter referred to as the said rules), clauses (1) and (2) shall be omitted.

3. In rule 30 of the said rules,—

(a) in sub-rule (1), for the words “maintenance of peaceful conditions in any part of India for the efficient conduct of military operations”, the words “maintenance of peaceful conditions in any part of India, the efficient conduct of military operations or the maintenance of supplies and services essential to the life of the community”, shall be substituted;

(b) after sub-rule (6), the following sub-rule shall be inserted, namely,—

“(6A) An order under clause (b) of sub-rule (1) may be executed at any place in India in the manner provided for the execution of warrants of arrest under the Code of Criminal Procedure, 1898.”;

(c) in sub-rule (7), for the words “order made under this rule”, the words, brackets, letter and figure “order made under this rule, other than an order under clause (b) of sub-rule (6);” shall be substituted.

4. After rule 30 of the said rules, the following rule shall be inserted, namely:—

“30A. *Review of detention orders.*—(1) In this rule—

(a) “detention order” means an order made under clause (b) of sub-rule (1) of rule 30;

(b) “State Government” does not include the Administrator of a Union territory (hereafter in this rule referred to as the Administrator).

(2) Every detention order shall be reviewed in accordance with the provisions hereinafter contained.

(3) A detention order made by the Central Government or the State Government or the Administrator shall be reviewed by the Central Government or the State Government or the Administrator, as the case may be.

(4) A detention order made by an officer (who shall in no case be lower in rank than that of a District Magistrate) empowered by the State Government or the Administrator shall be reviewed—

(a) in the case of an order made by an officer empowered by the State Government, by a reviewing authority consisting of any such two officers from among the following officers of that Government, that is to say, the Chief Secretary, a member of the Board of Revenue, a Financial Commissioner and a Commissioner of a Division, as may be specified by that Government by notification in the Official Gazette;

(b) in the case of an order made by an officer empowered by the Administrator, by the Administrator himself.

(5) Where a detention order is made by an officer empowered by the State Government or the Administrator, that officer shall forthwith report the fact to the reviewing authority referred to in clause (a) of sub-rule (4) or, as the case may be, to the Administrator.

(6) On the receipt of a report under sub-rule (5) —

(a) the reviewing authority referred to in clause (a) of sub-rule (4) shall, after taking into account all the circumstances of the case, recommend to the State Government that the detention order may be confirmed or cancelled and thereupon that Government shall either confirm or cancel the order as it may deem fit in the light of the recommendation;

(b) the Administrator shall, after taking into account all the circumstances of the case, either confirm the detention order or cancel it.

(7) Every detention order made by an officer empowered by a State Government and confirmed by it under clause (a) of sub-rule (6), unless such order is cancelled in the meantime by that Government, shall be reviewed by the reviewing authority referred to in clause (a) of sub-rule (4) at intervals of not more than six months and in the light of the recommendation of that authority, the State Government shall decide whether the order should be continued or cancelled.

(8) Every detention order made by an officer empowered by the Administrator and confirmed by him under clause (b) of sub-rule (6) and every detention order made by the Administrator himself, shall be reviewed at intervals of not more than six months by the Administrator who shall decide upon such review whether the order should be continued or cancelled.

(9) Every detention order made by the Central Government or the State Government shall be reviewed at intervals of not more than six months by the Government who made the order and upon such review that Government shall decide whether the order should be continued or cancelled.

(10) Notwithstanding anything contained in the foregoing provisions of this rule, any detention order may at any time be cancelled—

(a) by the Central Government, where the order has been made by that Government;

(b) by the State Government, where the order has been made by that Government or any officer empowered by it;

(c) by the Administrator, where the order has been made by the Administrator or any officer empowered by him."

5. In rule 35 of the said rules,—

(a) in sub-clause (c) of clause (2), for the words "confidential document", the words "confidential document belonging to, or the contents of any document" shall be substituted;

(b) in sub-clause (g) of clause (5), after the word "invention", the word "design", shall be inserted and for the words "use of", the words "use of, or the result of any scientific or technological research relating to", shall be substituted.

6. In sub-rule (1) of rule 36 of the said rules,—

(a) in clause (a), after the word "machinery", the words "scientific equipment", shall be inserted;

(b) in clause (d), after the words "mine or factory" at the end, the words "or any laboratory or institution where scientific or technological research is conducted" shall be inserted.

7. After rule 40 of the said rules, the following rule shall be inserted, namely:—

“40A. *Acts likely to assist military operations of the enemy.*—If any person does any act which is likely to give assistance to the naval, military or air operations of the enemy, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.”

8. In clause (a) of sub-rule (1) of rule 41 of the said rules, for the word “acts”, the word “act” shall be substituted.

9. After clause (e) of sub-rule (1) of rule 45 of the said rules, the following clauses shall be inserted, namely:—

“(f) direct the keeper of the press used for the purpose of printing or publishing such document to deposit as security, within such period as that Government may in each case specify, such amount (which may at the option of the keeper of the press be deposited either in money or in Government securities) as that Government may think fit to require;

(g) where such security has been deposited, declare the same to be forfeited to Government if the press or premises are thereafter used for any such purpose;

(h) where such security has not been deposited or where the press or premises are used for any such purpose even after the security has been forfeited under clause (g), direct that the press or premises shall be closed down.”

10. In sub-rule (1) of rule 53 of the said rules, for the words and figures “sections 388 and 389”, the word and figures “section 397” shall be substituted.

11. After sub-rule (4) of rule 57 of the said rules, the following *Explanation* shall be inserted, namely:—

“*Explanation.*—In this sub-rule, “prisoners” shall mean prisoners confined by order of a Court.”

12. After rule 105 of the said rules, the following rule shall be inserted, namely:—

“105-A. *Seizure of Aircraft.*—(1) The Central Government may, by order, require the seizure of any aircraft belonging to the enemy, or any aircraft or class of aircraft which is owned, controlled or operated by, or is in the possession or custody of, any person domiciled or resident in an enemy territory, or any aircraft or class of aircraft, the operation of which is likely to aid or assist the enemy or is likely to be prejudicial to the defence of India or public safety.

(2) Without prejudice to the generality of the foregoing powers, an order made under sub-rule (1) may—

(i) provide for any authority, or empower any authority specified therein, by which any of the powers conferred by this rule is to be exercised;

(ii) require any aircraft or class of aircraft to be placed at the disposal of any authority specified therein.”

13. In the third proviso at the end of rule 111, and in the second proviso to rule 112, of the said rules, after the words “assessing the compensation”, the brackets and words “(or within such further period as the Tribunal may, for sufficient cause, allow)” shall be inserted.



14. In rule 125 of the said rules,—

(a) at the end of sub-rule (2), the following shall be inserted, namely:—  
“or for preventing any corrupt practice or abuse of authority in respect of any such matter”;

(b) in sub-rule (3),—

(i) after clause (a), the following clause shall be inserted, namely:—

“(aa) for regulating or prohibiting any class of commercial or financial transactions in respect of any article or things which, in the opinion of the Government are, or, if not regulated or prohibited, are likely to be, detrimental to any of the purposes specified in sub-rule (2);”;

(ii) in clause (c), after the words “as may be specified in the order”, the following shall be inserted, namely:—

“and if the order relates to foodgrains, at such price as may be specified in the order having regard to—

(i) the maximum price, if any, fixed by order under clause (e), or by or under any other law for the time being in force, for the grade or variety of goodgrains to which the order under this clause applies; and

(ii) the price for that grade or variety of foodgrains prevailing or likely to prevail during the post-harvest period in the area to which the order applies;”;

(iii) after clause (d), the following clauses shall be inserted, namely:—

“(dd) for securing the production, manufacture, supply or sale according to the prescribed standards and specifications, of any article or thing appearing to the Government essential to any of the purposes specified in sub-rule (2);

(ddd) for the minimum and maximum stock of any article or thing appearing to the Government essential to any of the purposes specified in sub-rule (2), to be held by any consumer or by any producer, manufacturer, distributor, dealer or other person;”;

(c) for sub-rule (9), the following sub-rule shall be substituted, namely:—

“(9) (a) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both:

Provided that if any person contravenes any order made under this rule by resorting to any corrupt practice or other *mala fide* action or by influencing any person to abuse his authority, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

(b) If any order made under this rule so provides, any Court trying a contravention of the order may direct that any property in respect of which the Court is satisfied that the order has been contravened shall be forfeited to Government.”.

15. After rule 125 of the said rules, the following rule shall be inserted, namely:—

“125A. *Management of Essential Undertakings.*—(1) In this rule, unless the context otherwise requires, “undertaking” means—

(a) any undertaking (including an undertaking vested in, or

controlled or managed by, a local authority) which is engaged in the production, generation, supply, distribution or provision of water, transport, fuel, light, electricity or other power, or any other thing or service which is notified by the Government as essential to the life of the community;

(b) any system of public conservancy and sanitation and any hospital or dispensary;

and also includes any part or property of an undertaking.

(2) If it appears to the Central Government or the State Government that for maintaining supplies and services essential to the life of the community, it is necessary to take over the management of any undertaking, that Government may, by notified order, authorise any person or body of persons to take over the management of any undertaking specified in the order and thereupon such undertaking shall be managed in accordance with the provisions of that order:

Provided that powers under this sub-rule shall not be exercised by the State Government in respect of a company to which the Companies Act, 1956 applies.

(3) Any notified order issued under sub-rule (2) shall have effect unless it is cancelled earlier, for such period as may be specified in the order or for the period of operation of the Defence of India Act, 1962, whichever is less:

Provided that if the Government is of opinion that it is expedient in the public interest so to do, it may from time to time extend the period of operation of an order issued under sub-rule (2) for such period as may be specified by a subsequent order, but in no case extending beyond the period of operation of the Defence of India Act, 1962.

(4) On the issue of a notified order under sub-rule (2) authorising the taking over of the management of an undertaking,—

(a) all persons in charge of the management (whether known as managers, directors, or by any other designation) of that undertaking immediately before the issue of the notified order, shall be deemed to have vacated their office as such;

(b) any statutory or other authority in charge of the management of such an undertaking shall cease to exercise any powers of management in relation thereto and the Government may, by that or any other order, make such provisions in relation to that authority as it may deem fit;

(c) any contract of management between the undertaking any any managing agent or any director thereof holding office as such immediately before the issue of the notified order shall be deemed to have been terminated;

(d) the person or body of persons authorised under sub-rule (2) to take over the management shall take all such steps as may be necessary to take into his or their custody or control all the property, effects and actionable claims to which the undertaking is or appears to be entitled, and all the property and effects of the undertaking shall be deemed to be in the custody of the person or, as the case may be, the body of persons as from the date of the notified order;

(e) the persons, if any, authorised under sub-rule (2) to take over the management of an undertaking which is a company

shall be for all purposes the directors of the undertaking duly constituted under the Companies Act, 1956 and shall alone be entitled to exercise all the powers of the directors of the undertaking, whether such powers are derived from the said Act or from the memorandum or articles of association of the undertaking or from any other source.

- (5) Subject to the other provisions of this rule and to the direction and control of the Central Government or the State Government, as the case may be, the person or body of persons authorised to take over the management of an undertaking shall take such steps as may be necessary for the purpose of efficiently managing the functions of the undertaking and shall exercise such other powers and have such other duties as may be specified in the notified order under sub-rule (2).
- (6) The person or body of persons authorised under sub-rule (2) shall (notwithstanding anything contained in the memorandum or articles of association of the undertaking if it is a company), exercise his or their functions in accordance with such directions as may be given by the Government so, however, that he or they shall not have any power to give any other person any directions under this sub-rule inconsistent with the provisions of any Act or instrument determining the functions of the authority carrying on the undertaking except in so far as they may be specifically provided by the notified order under sub-rule (2).
- (7) No person who ceases to hold any office by reason of the provisions contained in clause (a) of sub-rule (4) or whose contract of management is terminated by reason of the provisions contained in clause (c) of that sub-rule and no authority who ceases to exercise any powers by reason of the provisions contained in clause (b) of that sub-rule, shall be entitled to any compensation for the loss of office or for the premature termination of his contract of management or for the cesser of the powers of management, as the case may be:

Provided that nothing contained in this sub-rule shall affect the right of any such person or authority to recover from the undertaking monies recoverable otherwise than by way of such compensation.

- (8) Where the management of an undertaking, being a company as confined in the Companies Act, 1956, is taken over by the Central Government, then, notwithstanding anything contained in the said Act or in the memorandum or articles of association of such undertaking,—
  - (a) it shall not be lawful for the shareholders of such undertaking or any other person to nominate or appoint any person to be a director of that undertaking;
  - (b) no resolution passed at any meeting of the shareholders of such undertaking shall be given effect to unless approved by the Central Government;
  - (c) no proceeding for the winding up of such undertaking or for the appointment of a receiver in respect thereof shall lie in Court except with the consent of the Central Government;

and subject to the provisions aforesaid and subject to such other exceptions, restrictions and limitations, if any, as the Central Government may, by notification, specify in this behalf, the Companies Act, 1956, shall continue to apply

to such undertaking in the same manner as it applied thereto before the issue of the notified order under sub-rule (2).

- (9) If at any time it appears to the Central Government or the State Government, as the case may be, that the purpose of the order made under sub-rule (2) has been fulfilled or that for any other reason it is not necessary that the order should remain in force, the Central Government or the State Government, as the case may be, may, by notified order, direct that the order made under sub-rule (2) shall stand cancelled with effect from such date as may be specified therein and on the cancellation of the order made under sub-rule (2), the undertaking shall be managed in accordance with the provisions of the Act or other instrument, if any, by which it was managed immediately before the issue of that order, so however that steps, if any, in relation to the management of the undertaking may be taken on the making of the order of cancellation under this sub-rule."

16. After rule 126 of the said rules, the following rule shall be inserted, namely:—

"126-A. *Essential Services*.—(1) This rule applies to all employment under the Central Government or the State Government and to any employment or class of employment which the Central Government or the State Government, being of opinion that such employment or class of employment is essential for securing the defence of India and civil defence, the public safety, the maintenance of public order, or the efficient conduct of military operations, or for maintaining supplies and services necessary to the life of the community, may, by notification, declare to be an employment or class of employment to which this rule applies.

*Explanation*.—For the purpose of the rule, "employment" includes employment of any nature, and whether paid or unpaid.

- (2) The Central Government or the State Government may, by general or special order, direct that any person or persons engaged in any employment to which this rule applies, shall not depart out of such area or areas as may be specified in such order. Any order issued under this sub-rule shall be published in such manner as the Government making the order considers best calculated to bring it to the notice of the persons affected by the order.

- (3) Any person engaged in any employment or class of employment to which this rule applies, who,—

(a) disobeys any lawful order given to him in the course of such employment, or

(b) without reasonable excuse abandons any such employment or absents himself from work, or

(c) departs from any area specified in an order under sub-rule (2) without the consent of the authority making that order,

and any employer of any person engaged in an employment or class of employment to which this rule applies, who without reasonable cause,—

(i) discontinues the employment of such person, or

(ii) by closing an establishment in which such person is engaged causes the discontinuance of his employment,

shall be deemed to have contravened this rule.

*Explanation 1*.—The fact that a person apprehends that by continuing in his employment he may be exposed to increase physical danger is not a reasonable excuse within the meaning of clause (b).

*Explanation 2.*—A person abandons his employment within the meaning of clause (b), who notwithstanding that it is an express or implied term of his contract of employment that he may terminate his employment on giving notice to his employer of his intention to do so, so terminates his employment without the previous consent of his employer.

- (4) The Central Government or the State Government may by order regulate the wages and other conditions of service of persons or of any class of persons engaged in any employment or class of employment to which this rule applies.
- (5) If any person contravenes any provision of this rule or of any order made under this rule, he shall be punishable, without prejudice to any action which may be taken against him under any other law for the time being in force, with imprisonment for a term which may extend to one year, or with fine, or with both."

17. In rule 134 of the said rules, after sub-rule (2), the following sub-rules shall be inserted, namely:—

- "(3) The Central Government or the State Government may, with a view to obtaining any space or accommodation under sub-rule (1) or to determining the compensation payable therefor, by order require any person to furnish to such authority as may be specified in the order such information in his possession as may be so specified.
- (4) If any person contravenes any order made in pursuance of this rule, he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.
- (5) In this rule "competent authority" means the Central Government or the State Government or any person appointed by the Central Government or the State Government to exercise the powers of competent authority under this rule."

18. After rule 134 of the said rules, the following rule shall be inserted, namely:—

"134-A. *Eviction of unauthorised persons from public premises.*—(1) Where the Central Government is of opinion that any public premises [as defined in the Public Premises (Eviction of Unauthorised Occupants) Act, 1958] are required for any purpose connected with the defence of India and civil defence, the public safety or interest, the efficient conduct of military operations or the maintenance of supplies and services essential to the life of the community, and the Central Government is satisfied that such premises are in unauthorised occupation as defined in that Act, the Central Government may, after recording the reasons for such satisfaction, make an order of eviction directing that the public premises shall be vacated by all persons who may be in occupation thereof or of any part thereof within such period as may be specified in the order.

- (2) If any person refuses or fails to comply with the order of eviction within the period specified therein, any officer authorised by the Central Government in this behalf (hereafter in this rule referred to as the authorised officer) may evict that person from and take possession of, the public premises and may for that purpose use such force as may be necessary.
- (3) If any obstruction is offered or, in the opinion of the authorised officer, is likely to be offered, to the taking possession of the public

premises, the authorised officer may obtain necessary police assistance.

- (4) Where any public premises of which possession is to be taken over is found locked or bolted from inside, the authorised officer may, in the presence of two witnesses, break open the lock or open or cause to be opened any door, gate or other barrier and enter the premises:

Provided that—

- (i) as far as possible no entry shall be made into, or no possession shall be taken of, a public premises before sunrise or after sunset;
  - (ii) where any public premises are forced open, an inventory of the property and articles found in the premises shall be made in the presence of two witnesses and after giving not less than three days' notice to the persons from whom possession of the public premises has been taken to remove the property and articles, the authorised officer may remove or cause to be removed or dispose of by public auction any property or articles remaining in such premises; and the sale proceeds, if any, shall, after deducting the expenses of the sale and the amount, if any, due to the Central Government on account of arrears of rent and damages, be deposited in the principal civil court of original jurisdiction in the district in which the premises are situated, for payment to such person or persons as are entitled to receive the same.
- (5) If any person does not vacate the public premises in compliance with an order made under sub-rule (1), such person shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.
- (6) Where any person in unauthorised occupation of any public premises has been evicted under this rule, then, without prejudice to any other law for the time being in force, damages may be recovered from that person for such unauthorised occupation in accordance with the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958."

19. After rule 142 of the said rules, the following rule shall be inserted, namely:—

"142-A. *Liability of Government servants to serve anywhere under Government.*—(1) The appropriate Government may by order require any person in the service of the Government (other than persons who, not being citizens of India, are in the service of the Government outside India) to serve in any post under that Government or under any other Government in India and at any place either in India or abroad and every such person shall comply with such order.

- (2) If any person contravenes any order made under this rule, he shall be punishable, without prejudice to any action that may be taken against him under any other law for the time being in force, with imprisonment for a term which may extend to one year, or with fine, or with both.
- (3) In this rule "the appropriate Government" means in relation to persons for the time being serving in connection with the affairs of the Union, the Central Government and in relation to persons serving in connection with the affairs of a State, the Government of that State."

20. In rule 152 of the said rules,—

- (a) for the figures “19”, the figures “19, 26”, shall be substituted; and  
(b) for the figures “140”, the figures “140, 141” shall be substituted.

21. After rule 152 of the said rules, the following rule shall be inserted, namely:—

“152-A. *Special provision for investigation of certain cases.*—Notwithstanding anything contained in section 5-A of the Prevention of Corruption Act, 1947 (2 of 1947), any police officer (including an officer belonging to the Delhi Special Police Establishment), not below the rank of an Inspector, shall be competent to investigate any offence specified in that section, if such offence is committed in connection with any alleged contravention of any of these rules or any order or direction made or given thereunder.”

[No. F. 3/3/62-Poll (Spl).]

HARI SHARMA,  
Additional Secretary.

New Delhi, the 11th January, 1963

**G.S.R. 93.** In exercise of the powers conferred by section 28 of the Defence of India Act, 1962 (51 of 1962), the Central Government hereby makes the following rules, namely:—

**THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963**

1. *Short title and commencement.*—(1) These rules may be called the Defence of India (Employment of Technical Personnel in National Service) Rules, 1963.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

- (a) “Act” means the Defence of India Act, 1962 (51 of 1962);  
(b) “appeal” means an appeal under sub-section (7) of section 23 of the Act or rule 17 of these rules;  
(c) “Form” means a form set out in the Appendix to these rules;  
(d) “section” means a section of the Act;  
(e) “Schedule” means a Schedule appended to these rules;  
(f) “Technical Personnel (Reinstatement) Tribunal” means a Tribunal constituted under sub-section (2) of section 24;  
(g) “Tribunal” means a National Service Tribunal constituted under section 21.

3. *Notified occupations.*—The occupations specified in the Schedule shall be “notified occupations” for the purposes of Chapter V of the Act.

4. *Composition, functions, powers and procedure of National Service Tribunals.*—(1) A Tribunal shall consist either of two members or of three members as the Central Government may, by notification in the Official Gazette, appoint and one of the members shall be designated as the chairman.

(2) A Tribunal shall have power to associate with itself in its deliberations such other persons as it thinks fit, but the persons so associated shall act in an advisory capacity only and shall, if they are not Government servants, be invited to attend sittings of the Tribunal only when matters with which they are particularly concerned are to be discussed.

(3) A Tribunal may meet at such times and places as it thinks fit and shall meet when required to do so by the Central Government.

(4) A Tribunal shall determine its procedure and shall have the powers of a civil court for the purpose of recording evidence, administering oaths, enforcing the attendance of witnesses and compelling the discovery and production of documents and shall be deemed to be a civil court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1898, and a court for the purposes of clause (aa) of the proviso to section 200 of that Code.



(5) Every Tribunal shall keep accounts supported by vouchers of all money received and expended during each financial year.

(6) In the discharge of its functions under Chapter V of the Act, the Tribunal shall comply with such directions as the Central Government may give to it.

**5. Enquiries by Tribunals.**—(1) A Tribunal may take steps to ascertain particulars of technical personnel employed in any establishment (including a notified establishment), the suitability of such personnel for employment in the national service, and the capacity of the establishment to release such personnel or any part thereof for such employment, having regard to the nature of work in which such personnel or part is engaged.

(2) For purposes of sub-rule (1), the Tribunal may—

- (a) summon the employer of any establishment or any employee of such establishment to appear before it and furnish such information as it may require;
- (b) authorize one of its members or any officer appointed by it to enter upon and inspect any premises occupied by such establishment and call for any information whether documentary or otherwise which appears to it to be necessary;
- (c) authorize any officer appointed by it to enter upon any premises occupied by the establishment and test the technical skill of such persons as the Tribunal may by order in writing direct;
- (d) require any establishment to afford such facilities as the Tribunal may, specify for testing the skill of any technical personnel whether such personnel is employed by such establishment or not,

and the employer of the establishment and any employee of such establishment shall comply with any requisition made in this behalf by or under authorization from the Tribunal.

(3) No person shall be authorised under clause (c) of sub-rule (2) by a Tribunal to enter upon premises occupied by an establishment and test the technical skill of any person in the employment of such establishment unless the Tribunal has previously consulted the establishment with regard to the suitability of the person selected and given due weight to its views.

(4) An establishment may during the consultation provided for in sub-rule (3) request that the tests referred to therein be carried out jointly by the person selected by the Tribunal and by a person belonging to the managerial or supervisory grades of technical personnel to be nominated by the establishment, and any such request shall be complied with by the Tribunal.

(5) The Tribunal may pay to any person whom it may authorize to visit an establishment and test the technical skill of specified persons, travelling expenses on the same scale as that provided in the State or Union territory concerned for the purposes of section 544 of the Code of Criminal Procedure, 1898.

**6. Collection of information by Tribunals or by employment exchanges.**—A Tribunal may call upon or require the local employment exchange to call upon the employers of any or all establishments within the jurisdiction of the Tribunal or the local employment exchange—

- (a) to furnish such particulars of the technical personnel in the employ of those establishments and within such time as the Tribunal may specify; and
- (b) to register in Form A all persons belonging to notified occupations within such time as the Tribunal or the local employment exchange, as the case may be, may specify, and thereafter to report all changes in the particulars so registered as they occur.

**7. Payment of travelling expenses to persons summoned to appear before Tribunals under rule 5.**—A Tribunal before whom any person is summoned to appear under rule 5 shall pay to such person travelling expenses on the scale referred to in sub-rule (5) of that rule.



8. *Persons undergoing test to be treated as on duty.*—(1) Any person who is directed by the Tribunal under clause (c) of sub-section (2) of section 23 to present himself at a specified place for interview or inquiry or submission to a test of his technical skill shall, if he is employed, be treated by his employer as if he were on duty during the period of his absence from work for such purpose and the employer shall make no deduction from his salary or wages on account of such absence:

Provided that where the period of such absence from work exceeds one day, the salary or wages for any period in excess of one day shall be paid by the Tribunal.

(2) The Tribunal shall pay to any person whom it may direct under clause (c) of sub-section (2) of section 23 to present himself at a specified place for interview, inquiry or submission to a test of his technical skill travelling expenses on the scale referred in sub-rule (5) of rule 5.

(3) All orders passed by a Tribunal under clause (c) of sub-section (2) of section 23 shall be issued in Form L and copies shall be forwarded to the establishment (if any) by which the persons who are to be present for interview, inquiry or test are employed.

9. *Procedure for requiring release of personnel or directing personnel to undertake employment in the national service.*—(1) Before passing an order under clause (a) of sub-section (2) or sub-section (4) of section 23, the Tribunal shall hold a summary inquiry at which any objections raised by the establishment required to release the technical personnel concerned or by the person to be taken into employment in the national service or to be transferred from one form or place of employment in such service to another, as the case may be, shall be considered and briefly recorded:

Provided that in the case of unemployed technical personnel or personnel who are to be taken into employment in the national service in a place in which they are already employed, a Tribunal may dispense with the holding of a summary inquiry.

(2) Notices in Form H or J, as the case may be, stating the time and place fixed for the holding of the inquiry referred to in sub-rule (1) shall be sent to the establishment (if any) and the technical personnel concerned in sufficient time to enable them to submit their objections, if any, to the Tribunal.

(3) No order shall be passed by a Tribunal requiring an establishment to release technical personnel for employment in the national service unless such Tribunal is satisfied that the work on which the personnel is to be engaged is more essential to the defence of India and civil defence, the efficient conduct of military operations, or the maintenance or increase of supplies and services essential to the life of the community than that on which it is for the time being employed, and has recorded its reasons in brief for arriving at such a decision.

(4) No order shall be passed by a Tribunal requiring the employer of a notified establishment to release any technical personnel for employment in the national service or transferring such personnel from one form or place of employment in such service to another except with the consent in writing of the employer.

(5) All orders passed by a Tribunal under clause (a) of sub-section (2) or sub-section (4) of section 23 shall be issued in Form B, C or C-I, respectively.

(6) Copies of all orders passed by a Tribunal under clause (a) of sub-section (2) of section 23 directing any technical personnel to undertake employment in the national service or sub-section (4) of section 23 shall be forwarded to both the old and new employers.

10. *Salary or wages to be paid to persons taken into employment in the national service.*—(1) The Central Government or, as the case may be, the Tribunal shall fix the salary or wages to be paid to any person taken into employment in the national service under clause (b) of sub-section (1) or clause (a) of sub-section (2), or transferred from one form or place of employment in the

national service to another under sub-section (4) of section 23 (such person being hereafter in these rules referred to as the said person) having due regard to the nature of the employment which he is to undertake and the salary or wages of which he was in receipt in his previous employment (if any).

(2) Subject to the provisions of sub-rule (3), the said person shall not be entitled to receive a salary or wages higher than he received in the post in which he was last employed unless it can be shown that the work on which he is to be engaged is of a more responsible or arduous nature.

(3) In fixing the salary or wages to be paid to the said person, the Central Government or, as the case may be, a Tribunal shall endeavour to ensure that his economic position does not suffer by reason of his being taken into such employment or of his being so transferred.

(4) The salary or wages fixed by the Central Government or, as the case may be, by the Tribunal under this rule, shall be paid by the notified establishment.

**11. Terms of service of persons taken into employment in the national service.**—(1) The said person shall, if the Central Government or, as the case may be, the Tribunal so directs, be permitted to continue to subscribe to any provident or superannuation fund or other scheme relating to gratuity, bonus or other benefit for the advantage of employees maintained or managed by the establishment by which he was formerly, or in the case of transfer originally, employed under the same terms and conditions as if he had continued to be employed by such establishment.

(2) When any person is permitted by the Central Government or, as the case may be, by a Tribunal to avail himself of the privilege referred to in sub-rule (1)—

(a) the establishment by which he was originally released for employment in the national service shall keep open his account and receive such subscriptions as may in accordance with the rules of such Fund be payable from time to time as if the subscriber were still in its employment; and

(b) the notified establishment in which the person has been taken for employment in the national service or to which he has been transferred shall make such contributions to the Fund from time to time as were formerly payable by the establishment by which the person was originally released.

**12. Leave.**—(1) The said person shall, if the Central Government or, as the case may be, the Tribunal so directs, continue to be eligible subject to such conditions as may be laid down by the Central Government or, as the case may be, by the Tribunal, for such leave with pay as was admissible to him in the previous employment or original employment, as the case may be, and the notified establishment into which he has been taken in the national service or to which he has been transferred shall grant him such leave at its own cost.

(2) The Central Government or, as the case may be, a Tribunal may, if it considers it necessary to do so, direct that the said person shall, for every completed period of twelve months' employment in the national service, be granted by the notified establishment in which he is employed leave with pay to enable him to visit his home and that the period of such leave shall be not less than seven consecutive days in addition to the days occupied in transit.

**13. Free accommodation, medical attention, etc.**—The Central Government or, as the case may be, a Tribunal may, after ascertaining that the necessary facilities are available and having regard to the status of the said person and the general practice of the establishment direct that the said person shall be provided with such amenities as free accommodation and free medical attention as may be specified and the employer shall comply with such direction.

**14. Hours of work and overtime.**—In dealing with persons taken into employment in the national service the employer shall in all cases apply the rules relating to hours of work and overtime rates in force in the notified

establishment so far as the.....rules are not inconsistent with any law for the time being in force.

**15. Pay and allowances in transit.**—(1) Any person taken into employment in the national service or transferred from one place of such employment to another shall be paid by the Tribunal on the first occasion of his repatriating to the place or the new place of such employment travelling expenses at such rates as may be fixed by the Tribunal having regard to his status and mode of life:

Provided that no travelling expenses shall be payable, if the distance to the place or the new place of such employment from the previous place of employment, or if he is unemployed, from his actual place of residence when so taken does not exceed five miles.

(2) The salary or wages of any person who is already employed and is directed to undertake employment in the national service or who is transferred from one place of employment in the national service to another shall, for the period of transit, be paid by the new employer at such rates as may be fixed in this behalf by the Central Government or, as the case may be, by the Tribunal.

**16. Payment of travelling expenses on termination of employment in the national service.**—(1) The employer of any notified establishment in which any person taken into employment in the national service is employed at the time of the final termination of such employment, shall, if the Tribunal or, as the case may be, the Central Government so directs, pay to such person travelling expenses to the original place of his employment, or if he was unemployed when first taken into employment in the national service, to his original place of residence, at such rates as may be fixed by the Tribunal, or, as the case may be, the Central Government, having regard to his status and mode of life:

Provided that no travelling expenses shall be payable if the distance to such place of employment or place of residence does not exceed five miles.

(2) Any person who was employed at the time when he was directed to undertake employment in the national service, shall, on the final termination of such employment, be paid salary or wages for the period of transit for returning to his former employment, by the employer under whom he is employed at the time of such termination, at such rates as may be fixed in this behalf by the Tribunal or the Central Government, as the case may be.

**17. Appeals against orders passed under certain Rules.**—An appeal shall lie to the Central Government against any order passed by a Tribunal under any of the rules 10, 11, 12, 13, 15, 16 and 24.

**18. Report of orders under section 23 (2) (b).**—(1) Before issuing an order under clause (b) of sub-section (2) of section 23, a Tribunal shall report the nature of the personnel to be trained and the terms and conditions on which it is proposed to order the training to be undertaken, to the Central Government and shall pass orders only after receiving the approval of that Government.

(2) Every order passed by a Tribunal under clause (b) of sub-section (2) of section 23 shall be issued in Form C-II.

**19. Authorities by whom medical examinations to be carried out.**—(1) The medical authority before whom a person may be ordered to appear under sub-section (6) of section 23 shall be the Civil Surgeon of the local area in which such person is employed or usually resides, or such other medical officer as the Central Government may by order in writing appoint for this purpose.

(2) If any person who has been ordered to submit himself to be examined by the officer referred to in sub-rule (1) questions the decision of that officer, he may be ordered by the Tribunal or the Central Government, as the case may be, to appear before a Civil Medical Board to be convened by the State Government.

**20. Reinstatement.**—(1) Any person who is entitled to be reinstated in his former employment, under sub-section (1) of section 24, if he desires to be reinstated, shall send an application for reinstatement to the former employer by registered post before the expiry of a period of four months from the date of

the termination of the applicant's employment in the national service or if a Technical Personnel (Reinstatement) Tribunal, on application made to it in this behalf, is satisfied that by reason of illness or other sufficient cause, the application for reinstatement could not be made before the expiry of the said period, such extended period as the Technical Personnel (Reinstatement) Tribunal may allow:

Provided that the Technical Personnel (Reinstatement) Tribunal shall not allow an extended period as aforesaid unless it is satisfied that the application made to it was made as early as possible.

(2) The conditions of employment of any person reinstated in his former employment under sub-section (1) of section 24 shall be determined with due regard to the additional skill and experience acquired by him in the course of his employment in the national service and shall in no case be less favourable to him than those which would have been applicable to him had he not been released for employment in the national service:

Provided that, if the employer refuses to reinstate such person, or denies his liability to reinstate such person or if for any reason the reinstatement of such person is represented by the employer to be impracticable or unreasonable or if the conditions of re-employment cannot be agreed upon, either party may refer the matter to a Technical Personnel (Reinstatement) Tribunal and that Tribunal shall, after due consideration, pass an order either exempting the employer from the provisions of this sub-rule or requiring him to re-employ such person on such terms as, having regard to the additional skill and experience acquired since his release as aforesaid, it thinks suitable or to pay to such person a sum in compensation for failure to re-employ him not exceeding an amount equal to six months' remuneration at the rate it thinks suitable as aforesaid.

(3) If any employer fails to obey an order passed by a Technical Personnel (Reinstatement) Tribunal under the proviso to sub-rule (2) he shall be punishable with fine not exceeding one thousand rupees, and the court by which he is convicted may, in addition to any other penalty, order him, if he is not already so required by the Technical Personnel (Reinstatement) Tribunal, to pay the person whom he has failed to re-employ a sum not exceeding an amount equal to six months' remuneration at the rate at which his last remuneration was payable to him by the employer; and any amount so required by the Technical Personnel (Reinstatement) Tribunal to be paid, or so ordered by the court to be paid, shall be recoverable as if it were a fine imposed by such court.

(4) Where an employer terminates the employment of a person whom under sub-section (1) of section 24 it was his duty to reinstate, within a period of six months from the date of reinstatement, he shall, notwithstanding anything to the contrary contained in the conditions of employment, be liable to pay such person at the time of terminating his employment as aforesaid a sum equal to the remuneration which such person would have earned under the terms of re-employment agreed, or fixed by the Technical Personnel (Reinstatement) Tribunal, during the unexpired portion of the said period:

Provided that an employer shall not be liable to make such payment as aforesaid where the employment is terminated for the reason that such person has been guilty of gross insubordination, habitual absence from work or any serious misconduct or has been convicted of any criminal offence:

Provided further that a person whose employment is terminated within the said period for any such reason as aforesaid may refer the matter to a Technical Personnel (Reinstatement) Tribunal and that Tribunal shall after due consideration decide whether or not the employer is liable as aforesaid under this sub-rule; and such decision shall be final and binding on the parties.

*Explanation.*—Any sum required to be paid under this sub-rule shall be in addition to the amount, if any, which the employer may, under the conditions of

employment, be liable to pay in respect of termination of the employment without notice.

(5) The duty imposed by sub-section (1) of section 24 upon an employer to reinstate in his employment as person such as is described in that sub-section shall attach to an employer who, before such person is actually released for or taken into employment in the national service, terminates his employment in circumstances such as to indicate an intention to evade the duty imposed by that sub-section and such intention shall be presumed until the contrary is proved if the termination of the employment takes place after the issue of an order of requirement by a National Service Tribunal or the Central Government for the release of such person for employment in the national service or after the issue of a direction to such person under clause (c) of sub-section (2) of section 23.

**21. Technical Personnel (Reinstatement) Tribunals.**—(1) The Central Government shall constitute for such areas and such places as it thinks fit Technical Personnel (Reinstatement) Tribunals to hear and decide any matters referred to them or applications made to them under rule 20.

(2) A Technical Personnel (Reinstatement) Tribunal shall consist of three members to be nominated by the Central Government of whom one, who shall be chairman of the Technical Personnel (Reinstatement) Tribunal, shall be a member who is, or has been, or is eligible for appointment as, a District and Sessions Judge.

(3) No person serving as a member of a National Service Tribunal shall, while so serving, be a member of a Technical Personnel (Reinstatement) Tribunal.

(4) A Technical Personnel (Reinstatement) Tribunal may meet at such times and places as it thinks fit and shall meet when required to do so by the Central Government.

(5) At any meeting of a Technical Personnel (Reinstatement) Tribunal, the chairman and any other member of the Technical Personnel (Reinstatement) Tribunal, shall constitute a quorum.

(6) A Technical Personnel (Reinstatement) Tribunal shall have the powers of a civil court for the purpose of receiving evidence, administering oaths, enforcing the attendance of witnesses and compelling the discovery and production of documents, and shall be deemed to be a civil court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1898, and a court for the purposes of clause (aa) of the proviso to section 200 of that Code.

**22. Control regarding discharge and dismissal under section 25 (2).**—(1) Every discharge or dismissal of any person included in the definition of technical personnel by an employer of an establishment shall be with the previous permission in writing of the Tribunal, and if any such employer releases or removes from one establishment (including a notified establishment) to another any such person, he shall give notice in writing of such release or removal within a period of seven days and such notice shall—

(a) state reason for the release or removal, and

(b) be sent by registered post or under a certificate of posting:

Provided that it shall not be necessary for the employer of any establishment (including a notified establishment) to obtain such permission to discharge or dismiss a person included in the definition of technical personnel if such person—

(a) was engaged on probation but has not been confirmed;

(b) was engaged for a period specified in his written agreement of service, if that period has expired;

(c) was engaged for the completion of a piece of work of the nature of which was specified in writing at the time of his engagement and which has been completed;

(d) is certified by a registered medical practitioner to be physically unfit for the work or for the class of work in which he is



engaged;

- (e) has, in the opinion of the employer, been guilty of gross insubordination, habitual absence from work or any serious misconduct or has been convicted of any criminal offence; or
- (f) is the subject of an adverse police report; but in all such cases the employer concerned shall give notice in writing to the Tribunal of the discharge or dismissal and the reasons thereof within twenty-four hours of the discharge or dismissal.

(2) Every order passed by a Tribunal under sub-rule (1) shall be communicated to the employer of the establishment making the application as expeditiously as possible, and in any case, within fifteen days of the despatch of such application, failing which the Tribunal's permission shall be assumed to have been obtained by such employer.

(3) In considering applications for the grant of permission under clause (a) of sub-section (1) of section 25 or under sub-rule (1), the Tribunal shall be guided solely by the consideration whether in its opinion the services of the person who wishes to leave his employment or training or whom the employer proposes to discharge or dismiss, as the case may be, can be employed most effectively in connection with work of national importance in his existing employment or training.

**23. Control regarding the engagement of technical personnel.**—(1) A Tribunal may under sub-section (2) of section 25 control the engagement of technical personnel by establishments (including notified establishments) by general order published in the press when the order is of general application, or by a special order when the order is of special application directing:—

- (a) that no establishment shall offer employment to any technical personnel or class of technical personnel employed in notified establishments except through or with the general or special approval of the Tribunal or an officer authorised by it in this behalf;
- (b) that no advertisement for technical personnel or any specified class thereof shall be issued or published in the press by any establishment or class of establishments except through or with the general or special approval of the Tribunal or an officer authorised by it in this behalf;
- (c) that no establishment other than a notified establishment shall engage technical personnel already in employment, on a higher wage than that drawn by the technical personnel in the existing employment, without the consent in writing of the Tribunal or an officer authorised by it in this behalf;
- (d) that no technical personnel or class of technical personnel employed in notified establishments shall seek or apply for employment elsewhere except with the previous sanction in writing of the Tribunal or an officer authorised by it in this behalf;
- (e) that previous approval of the Tribunal or an officer authorised by it in this behalf shall be necessary for the engagement by any establishment, other than a notified establishment, of such class or classes of technical personnel as may be specified;
- (f) that any or all establishments shall forward to the Tribunal or an officer authorised by it in this behalf—
  - (i) particulars of all vacancies for technical personnel in their establishments other than vacancies reserved for their own apprentices, immediately on their occurrence;
  - (ii) a report in such form as may be supplied by the Tribunal or the officer stating, in the case of technical personnel

recommended for appointment to vacancies—

- (a) whether the personnel have been engaged by the establishment; or
- (b) if the personnel have not been employed the reasons of the establishment for not engaging them;
- (iii) particulars of any technical personnel it may engage after a specified date, in such form and within such period as the Tribunal or the officer may direct;
- (g) that with effect from a specified date any or all establishments shall issue to all or any specified classes of technical personnel employed therein for a period of not less than one month, who are discharged, dismissed or released by or from the establishments or who are permitted by the Tribunal to leave their employment in such establishments a service certificate in Form 'O', or if the employee is already in possession of such a certificate, make such additions to the certificate, as will bring it up-to-date. The certificate shall be issued, or if the employee is already in possession of such a certificate the additions to the certificate shall be made, on or before the date on which the employee whose services are terminated receives his wages;
- (h) that no establishment shall engage any person included in the definition of technical personnel unless he produces either a service certificate in Form 'O' or an introduction card from an Employment Exchange specified by the Tribunal in this behalf.

(2) Every person included in the definition of technical personnel shall, when accepting employment in an establishment, report to the employer thereof the name and address of the employer under whom he was last employed and the date on which he left the last employment.

(3) Every establishment shall report to the Tribunal the name and address of any person included in the definition of technical personnel who leaves his employment in the establishment without the permission in writing of the Tribunal. The report shall be sent so as to reach the Tribunal within three days of the event.

*Explanation.*—For the purpose of this rule, a person shall be deemed to leave his employment if he absents himself from work for more than ten consecutive days without the permission of the employer.

**24. Refixation of wages of technical personnel to whom permission to leave employment is refused.**—(1) If in considering under clause (b) of sub-section (1) of section 25 of the salary or wages of a person to whom permission to leave his employment has been refused, a Tribunal is satisfied that the salary of wages paid by the employer, is less than the rate prevailing for technical personnel of such person's class in the locality concerned, it may increase the rate to such extent as will raise it to the prevailing rate, and if that rate is less than the amount which the person concerned would have received had he been permitted to leave his employment, and the Tribunal is satisfied that there exist special reasons for the higher rate so offered or obtainable, the Tribunal may further increase the rate to such an extent as it considers fair and reasonable:

Provided that the total salary or wages so fixed shall not exceed the prevailing rate by more than ten per cent.

(2) In considering under clause (b) of the said sub-section the terms of service other than salary or wages of a person to whom permission to leave his employment has been refused, the Tribunal shall be guided by the general practice of the industry concerned, having due regard to local conditions and the status of the person concerned, and may if necessary grant allowance not exceeding ten per cent of the salary or wages fixed under sub-rule (1) in lieu of any amenities which are usually provided by the industry but for which no facilities exist at the place where such person is employed.

**25. Procedure for submission of appeals.**—(1) Every appeal shall be written in English in Form D or E, as the case may be, and sent within one month of the date of the order appealed against to the Secretary to the Government of India, Ministry of Labour and Employment (Directorate General of Employment and Training) through the Tribunal which issued the order. In forwarding an appeal, the Tribunal shall enclose the record of the proceedings which gave rise to the appeal, or authenticated copies of such proceedings, together with an explanation on each of the points raised by the appellant. The Tribunal may at its discretion withhold any appeal sent after one month of the date of the order appealed against.

(2) The decision of the Central Government on all appeals will be conveyed to the Tribunal concerned which shall communicate it without delay to the appellants.

**26. Maintenance of registers by notified establishments.**—Every notified establishment shall keep a register in Form F of the technical personnel taken into its employment in the national service under clause (b) of sub-section (1) of section 23 or clause (a) of sub-section (2) of section 23 or transferred to it under sub-section (4) of section 23.

**27. Maintenance of registers by Tribunals.**—Every Tribunal shall maintain a register in such form as it deems suitable of all technical personnel directed to undertake employment in the national service under clause (b) of sub-section (1) of section 23 or clause (a) of sub-section (2) of section 23 or transferred from one form or place of employment in the national service to another under sub-section (4) of section 23 showing the notified occupations to which they belong, the establishments by which they were released or from which they were transferred, the notified establishments in which they were directed to undertake employment or to which they were transferred, the terms of service fixed and the result of the appeals, if any.

**28. Applications under section 22 (2).**—Every application for technical personnel made to a Tribunal or the Central Government under sub-section (2) of section 22 shall be submitted in Form K.

**29. Forms of orders under section 25.**—(1) Every order passed by a Tribunal under sub-section (1) of section 25 shall be issued in Form G.

(2) Every application made or notice given to a Tribunal by an employer in any establishment under sub-rule (1) of rule 22 shall be in Form M or Form M-1, as the case may be, and if the Tribunal so directs, all applications from technical personnel to leave their employment shall be submitted to it in Form N.

**30. Orders by the Central Government under section 23 (1) or (4).**—Before passing an order under sub-section (1) or (4) of section 23, the Central Government may, if it considers it necessary so to do, direct the local Tribunal to hold a summary inquiry, and thereupon the Tribunal shall hold such inquiry in accordance, as near as may be, with the provisions of sub-rules (1) and (2) of rule 9 and submit a report to the Central Government.

**31. Authorities over whose signature orders, notices, etc., to be issued.**—All orders of a Tribunal in Forms B, C, C-I, C-II, G or L notices in Form H or J and copies of or extracts from, any other orders or directions given by a Tribunal under Chapter V of the Act or these rules shall be issued over the signature of the Chairman of the Tribunal or of an officer of the Tribunal authorised by the Chairman in writing in this behalf.

**32. Penalty.**—(1) If any person contravenes the provisions of sub-rule (1) of rule 8, sub-rule (4) of rule 10, sub-rule (2) of rule 11, any of the rules 12 to 16 (both inclusive), sub-rule (1) or sub-rule (3) of rule 23 or rule 26, he shall be punishable with fine not exceeding one thousand rupees.



(2) If any person contravenes the provisions of rule 6, sub-rule (1) of rule 22 or sub-rule (2) of rule 23, he shall be punishable with imprisonment for a term not exceeding six months, or with fine not exceeding one thousand rupees, or with both.

SCHEDULE  
(See Rule 3)  
LIST OF NOTIFIED OCCUPATIONS

Occupation	N.C.O. Code Number
<b>PROFESSIONAL, TECHNICAL AND RELATED WORKERS</b>	
Architect ... ..	000.20
Civil Engineer, General ... ..	001.10
Civil Engineer, Highways ... ..	001.20
Civil Engineer, Sanitation ... ..	001.30
Overseer, Civil Engineering ... ..	001.50
Civil Engineers, other ... ..	001.80
Mechanical Engineer, General ... ..	002.00
Designer, Machines ... ..	002.10
Tool Engineer ... ..	002.15
Mechanical Engineer, Production ... ..	002.30
Mechanical Engineer, Maintenance ... ..	002.35
Mechanical Engineer, Automobile ... ..	002.40
Mechanical Engineer, Aeronautical ... ..	002.45
Mechanical Engineer, Air Conditioning ... ..	002.60
Mechanical Engineer, other ... ..	002.80
Electrical Engineer ... ..	003.20
Tele-Communication Engineer, General ... ..	003.30
Radio Engineer, Tele-Communication ... ..	003.35
Microwave Engineer, Tele-Communication ... ..	003.45
Line Communication Engineer, Tele-Communication ... ..	003.50
Electrical Engineers, other ... ..	003.80
Chemical Engineer, General ... ..	004.20
Metallurgist, Extractive ... ..	005.10
Metallurgist, Physical ... ..	005.20
Mining Engineer, General ... ..	006.10
Surveyor, Topographical ... ..	007.10
Plane Tabler ... ..	007.30
Leveller ... ..	007.35
Traverser ... ..	007.40
Surveyors, other ... ..	007.80
Glass Technologist ... ..	009.29
Planning Engineer ... ..	009.50
Estimator, Engineering ... ..	009.53
Methods Engineer ... ..	009.56
Industrial Engineer ... ..	009.59
Works Inspector, Engineering ... ..	009.62
Instrument Engineer ... ..	009.65
Safety Engineer ... ..	009.68
Chemist, General ... ..	010.10
Chemist, Specialised ... ..	010.15
Physicist, General ... ..	012.10
Physicist, Specialised ... ..	012.15

Occupation	N.C.O. Code No.
Chemists, Physicists, Geologists and Other Physical Scientists	019.10
Physician, General ... ..	030.10
Surgeon, General ... ..	030.15
Ear, Nose and Throat Specialist ... ..	030.35
Orthopaedist ... ..	030.75
Dentist ... ..	035.10
Anaesthetist ... ..	039.10
Radiologist ... ..	039.40
General Nurse ... ..	040.00
Pharmacist ... ..	043.10
Sanitary Inspector ... ..	046.10
X-Ray Technician ... ..	049.10
Teacher Engineering, University, Technical and other Allied Institutes ... ..	050.50
Draughtsman, Architectural ... ..	090.10
Draughtsman, Civil ... ..	090.15
Draughtsman, Mechanical ... ..	090.25
Draughtsman, Structural ... ..	090.35
Draughtsman, Electrical ... ..	090.45
Cartographer ... ..	090.60
Tracer ... ..	099.10
<b>MINERS, QUARRYMEN AND RELATED WORKERS</b>	
Driller, Machine ... ..	502.10
Driller, Hand ... ..	502.20
Shot Firer ... ..	503.10
<b>WORKERS IN TRANSPORT AND COMMUNICATION OCCUPATIONS</b>	
Driver, Launch ... ..	610.50
Pilot Aircraft, General ... ..	620.30
Pilot Aircraft, Specialised ... ..	620.40
Flight Engineer ... ..	621.30
Navigator, Aircraft ... ..	622.30
Driver Railway Engine (Steam) ... ..	630.10
Driver, Car ... ..	641.10
Driver, Truck ... ..	641.30
Driver, Fire-Brigade Vehicle ... ..	641.35
<b>CRAFTSMAN AND PRODUCTION PROCESS WORKERS</b>	
<i>(a) Supervisory—</i>	
Supervisor Mechanic, Precision Instrument, General ... ..	B 740.00
Supervisor Tool Setter, General ... ..	B 750.60
Supervisor Sheet Metal Worker, General ... ..	B 754.00
Supervisor Electrician, Aircraft ... ..	B 760.15
Supervisor Rigger ... ..	B 873.10
<i>(b) Craftsmen—</i>	
Convertor Blower ... ..	730.28
Furnace Operator ... ..	730.34
Furnace Mistry, Cupola ... ..	730.64
Charger, Cupola ... ..	730.68
Furnaceman Pit Furnace ... ..	730.84
Heat Treating Furnace Operator ... ..	730.88

Occupation	N.C.O. Code No.
Cogger ... ..	732.10
Manipulator ... ..	732.15
Roller Sheet Mill ... ..	732.35
Operator Hot Rolling Mill (Non-Ferrous Metal) ... ..	732.45
Roller, Hot Rolling Mill (Non-Ferrous Metal) ... ..	732.50
Blacksmith ... ..	733.10
Power Hammer Operator ... ..	733.20
Stamper ... ..	733.30
Hammerman ... ..	733.40
Moulder, General ... ..	734.10
Coremaker ... ..	734.40
Mechanic, Precision Instrument, General ... ..	740.00
Mechanic, Precision Instrument, Mechanical ... ..	740.10
Mechanic, Typewriter and Calculating Machine ... ..	740.20
Assembler, Precision Instrument ... ..	740.25
Mechanic, Precision Instrument, Electrical ... ..	740.30
Mechanic Optical Instrument ... ..	740.40
Fitter, General ... ..	750.10
Fitter, Bench ... ..	750.15
Tool Maker ... ..	750.20
Jig and Fixture Maker ... ..	750.25
Jig Borer ... ..	750.30
Die Maker ... ..	750.35
Die Sinker, Hand ... ..	750.40
Die Copying Machine Operator ... ..	750.45
Profiling Machine Operator ... ..	750.50
Tool Setter, General ... ..	750.60
Tool Setter, Press ... ..	750.65
Setter, Forging Press ... ..	750.70
Setter, Automatic Machine ... ..	750.75
Turner ... ..	751.10
Metal Spinner ... ..	751.12
Turret and Capstan Lathe Operator ... ..	751.15
Shaper ... ..	751.20
Planer ... ..	751.22
Slotter ... ..	751.26
Miller ... ..	751.30
Gear Cutter ... ..	751.32
Heavy Duty End-Mill Operator ... ..	751.35
Driller, General ... ..	751.40
Radial Driller ... ..	751.42
Tower Drilling Machine Operator ... ..	751.45
Borer ... ..	751.50
Cylinder Borer ... ..	751.52
Grinder, General ... ..	751.55
Grinder, Crankshaft ... ..	751.58
Grinder, Tool and Cutter... ..	751.62
Surface Grinder ... ..	751.65
Thread Grinder ... ..	751.67
Honer ... ..	751.70
Lapper ... ..	751.72

Occupation				N.C.O. Code No.
Power Press Operator, Metal	...	...	...	751.75
Dividing Machine Operator	...	...	...	751.83
Assembler, Workshop Machines and Equipment	...	...	...	752.10
Mechanic, Aircraft (Engine Overhauling)	...	...	...	753.18
Mechanic, Petrol Engine	...	...	...	753.25
Mechanic, Automobile	...	...	...	753.27
Fitter, Automobile	...	...	...	753.30
Mechanic, Diesel Engine	...	...	...	753.35
Tractor Mechanic	...	...	...	753.40
Mechanic, Road Roller	...	...	...	753.42
Mechanic, Stationery Steam Engine	...	...	...	753.47
Fitter, Stationery Steam Engine	...	...	...	753.49
Fitter, Marine	...	...	...	753.51
Fitter, Loco	...	...	...	753.53
Fitter, Railway Carriage and Wagon	...	...	...	753.55
Mechanic, Maintenance	...	...	...	753.58
Mechanic, Refrigeration and Air Conditionin	Unit	...	...	753.68
Armourer	...	...	...	753.70
Mechanic General	...	...	...	753.76
Sheet Metal Worker, General	...	...	...	754.00
Sheet Metal Worker, Structural	...	...	...	754.10
Sheet Metal Machine Operator	...	...	...	754.20
Tin Smith	...	...	...	754.40
Plumber, General	...	...	...	755.10
Pipe Fitter	...	...	...	755.20
Welder, Gas	...	...	...	756.10
Welder, Electric	...	...	...	756.20
Welder, Machine	...	...	...	756.30
Gas Cutter	...	...	...	756.40
Plater	...	...	...	757.10
Tubesmith Boiler	...	...	...	757.35
Boiler Maker	...	...	...	757.40
Reveter	...	...	...	757.70
Electroplater	...	...	...	758.30
Enameller, Hand	...	...	...	758.40
Galvanizer	...	...	...	758.60
Viewer, Workshop	...	...	...	759.10
Engraver	...	...	...	759.20
Pantograph Machine Operator	...	...	...	759.25
Embossor, Block	...	...	...	759.30
Shot Blaster	...	...	...	759.50
Polisher	...	...	...	759.60
Toolmakers, Machinists, Plumbers, Welders and Belated				
Workers, Other	...	...	...	759.80
Electrician, General	...	...	...	760.10
Electrician, Automobile	...	...	...	760.20
X-Ray Mechanic	...	...	...	760.25
Switch Board Attendant	...	...	...	760.30
Operator, Back Wiring	...	...	...	761.20
Assembly Operator (Radio Manufacturing)	...	...	...	761.30
Electrical Fitter	...	...	...	761.35
Adjuster, Relays	...	...	...	761.40

Occupation	N.C.O. Code No.
Radio Mechanic ... ..	762.10
Radio Craftsman (Maintenance) ... ..	762.20
Radar Mechanic ... ..	762.30
Installation Mechanic, Telephone and Telegraph ... ..	763.10
Maintenance Mechanic, Telephone and Telegraph ... ..	763.15
Teleprinter Mechanic ... ..	763.30
Lineman, Light and Power ... ..	764.20
Wireman, Light and Power ... ..	764.25
Cable Jointer, Light and Power ... ..	764.40
Radio Technician (Radio Manufacturing) ... ..	769.40
Armature Winder ... ..	769.45
Coil Winder, Machine ... ..	769.50
Battery Servicing Man ... ..	769.60
Battery Repairer ... ..	769.62
Operator, Impregnation Plant (Electrical Equipment Manufacturing) ... ..	769.75
Carpenter, General ... ..	770.00
Carpenter, Constructional ... ..	770.10
Carpenter, Structural ... ..	770.20
Pattern Maker, Wood ... ..	770.70
Shipwright, Wood ... ..	771.10
Carpenter, Boat Building ... ..	771.55
Wood Sawyer Machine, General ... ..	772.10
Wood Machinist, General ... ..	772.30
Wood Turner, Machine ... ..	772.33
Coach Builder, Railway ... ..	773.20
Body Builder, other Vehicles ... ..	773.80
Cabinet Maker ... ..	775.20
Wood Polisher ... ..	779.63
Saw Grinder, Machine ... ..	779.70
Carpenters, Joiners, Cabinet Makers, Coopers and Related Workers, Other ... ..	779.80
Painter, General ... ..	780.00
Painter, Spray ... ..	780.35
Stone Mason ... ..	791.10
Bricklayer, Construction ... ..	791.20
Bricklayer, Fire-Brick ... ..	791.30
Transferrer, Photomechanical ... ..	805.40
Flower (Glass) ... ..	812.10
Blower, Laboratory Apparatus (Glass) ... ..	812.15
Blowing Machine Operator (Glass) ... ..	812.20
Pressman (Glass) ... ..	813.20
Lens Grinder ... ..	814.10
Lens Polisher ... ..	814.12
Ball Mill Operator (Cement and Ceramics) ... ..	815.30
Pug Mill Operator (Ceramics) ... ..	815.50
Slip-maker (Ceramics) ... ..	815.55
Filter Press Operator (Ceramics) ... ..	815.60
Rollerman (Foodgrains) ... ..	820.30
Processman, Chemical ... ..	831.10
Repairer, Tyre ... ..	851.60
Tablet Machine Operator (Plastics) ... ..	852.10

Occupation	N.C.O. Code No.
Mould Setter (Plastics) ... ..	852.30
Injection Moulding Machine Operator (Plastics) ...	852.35
Compression Moulding Machine Operator (Plastics) ...	852.40
Steam Engine Driver ... ..	870.10
I. C. Engine Driver ... ..	870.15
Air Compressor Operator ... ..	870.20
Boiler Tindal ... ..	871.10
Boiler Attendant, Coal Fired ... ..	871.20
Driver Steam Crane ... ..	872.10
Crane Operator, Diesel/Electrical ... ..	872.15
Mobile Crane Operator ... ..	872.30
Overhead Crane Operator ... ..	872.40
Rigger ... ..	873.10
Slinger ... ..	873.20
Bulldozer Operator ... ..	874.10
Scraper Operator ... ..	874.15
Grader Operator ... ..	874.40
Road Roller Driver ... ..	874.60
Fork Lift Truck Operator ... ..	875.45
Tractor Driver, Construction ... ..	879.10

APPENDIX  
THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963  
FORM A  
[See rule 6(b)]

Name of establishment.....

Register of technical personnel

Name  1	Age  2	Apprenticeship Training			Technical Training			Practical Experience (in Chronological order)				
		Name of establishment  3	Department where employed  4	Time spent in such Department  5	School or College  6	Particulars of course  7	Duration  8	Name of establishment  9	Capacity in which employed  10	Duration  11	Pay  12	Details of experience gained i.e. type of jobs dealt with  13

# THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICES) RULES, 1963

## FORM B

Order requiring an establishment to release Technical Personnel  
[See section 23 rule 9 (5)]

In exercise of the powers conferred on us by clause (a) of sub-section (2) of section 23 of the Defence of India Act, 1962, we do hereby order and require you the employer of.....

to release on or before the..... 196 .....  
the technical personnel described below for employment in the national service in a notified establishment viz.....  
situated at.....

Name	Personnel	
	Date of birth	Occupation
.....	.....	.....
.....	.....	.....

*Chairman or authorised officer,  
National Service Tribunal.*

Dated..... the..... 196 .  
To .....

# THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICES) RULES, 1963

## FORM C

Order directing technical personnel to take up employment in the national service  
[See section 23 and rule 9 (5)]

In exercise of the powers conferred on us by clause (a) of sub-section (2) of section 23 of the Defence of India Act, 1962, we do hereby direct and require you Shri..... son of.....  
of..... by occupation.....  
to undertake employment in the national service as.....  
in..... being a notified establishment situated at.....  
We do further direct and require you to report yourself to.....for duty in the said establishment not later than the..... 196 .

2. The following terms of service have been fixed by us in accordance with rules 10 to 12 and 15 of the Defence of India (Employment of Technical Personnel in National Service) Rules, 1963:—

- (1) Salary or wages, including allowance, if any.....
- (2) Provident Fund (if any).....
- (3) Gratuity (if any).....
- (4) Bonus (if any).....
- (5) Leave .....
- (6) Travelling allowance.....



- (7) Salary or wages during transit.....  
(8) Other concessions (if any).....

*Note.*—Your attention is drawn to rule 20 under which if on the termination of your employment in the national service you do not apply to your present employer for reinstatement within a period of four months from the date of such termination you will be liable to forfeit the right to reinstatement.

.....  
*Chairman or authorised officer,  
National Service Tribunal.*

Dated.....the.....196 .

To

.....  
.....

# THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

## FORM C-I

Order transferring technical personnel from one form of place of employment  
in the national service to another

[See section 23 and rule 9 (5)]

In exercise of the powers conferred by sub-section (4) of section 23 of the  
Defence of India Act, 1962 we do hereby order that Shri.....  
son of..... of .....  
by occupation be transferred from.....being  
a notified establishment as..... and to  
direct the said Shri.....to report himself  
to.....for duty in the said establishment not  
later than the.....196 .

2. The following terms of service have been fixed in accordance with  
rules 10 to 12, 13 and 15 of the Defence of India (Employment of Technical  
Personnel in National Service) Rules, 1963:—

- (1) Salary or wages, including allowance, any.....  
.....  
(2) Provident fund (if any).....  
(3) Gratuity (if any).....  
(4) Bonus (if any).....  
(5) Leave .....  
(6) Travelling allowance.....  
(7) Salary or wages during transit.....  
(8) Other concessions (if any).....  
.....

.....  
*Chairman or authorised officer,  
National Service Tribunal.*

Dated.....the.....196 .

To

.....  
.....  
.....

# THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

## FORM C-II

Order requiring an establishment to provide training as Technical Personnel  
[See section 23 and rule 18 (2)]

In exercise of the powers conferred on us by clause (b) of sub-section (2)

of section 23 of the Defence of India Act, 1962, we do hereby order and require you the employer of.....to take in to your establishment the following persons for training as technical personnel, namely.....before the.....196 , within.....months from the date of this order, on the terms and conditions specified below, and you are hereby warned that on the expiry of.....months from the date of this order an equivalent number of technical personnel will be removed from your establishment for work of national importance elsewhere.

Terms and conditions

.....  
Chairman or authorised officer,  
National Service Tribunal.

Dated.....the.....196 .

To

.....  
.....  
.....

### THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

#### FORM D

Form of appeal to be used by establishments

[See section 23 (7) and rule 25]

1. Name and address of establishment.....
2. Name and address of employer of establishment.....
3. Name of Manager.....
4. Establishment in which engaged.....
5. Details of personnel called up (including the occupation to which the personnel belongs).....
6. Terms of service fixed by Tribunal.....
7. Brief particulars of order appealed against.....
8. Grounds of appeal.....

Place.....

*Signature of Appellant.*

Dated.....

### THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

#### FORM E

Form of appeal to be used by personnel taken into employment in the National Service

[See section 23 (7) and rule 25]

1. Name .....
2. Father's name.....
3. Home address.....
4. Date of birth.....
5. If married, number of dependants.....

6. Occupation and grade or class in which included.....
  7. Number of years experience in such occupation.....
  8. Establishment in which employed.....
  9. Salary or wages and terms of service fixed by Tribunal.....
  10. Salary or wages and terms of service enjoyed in previous employment.....
  11. Brief particulars of order appealed against.....
- Place.....
- Date.....
- Signature of Appellant.*

**THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL  
PERSONNEL IN NATIONAL SERVICE) RULES, 1963**

**FORM F**

Register of national service personnel to be maintained by notified establishments  
(See rule 26)

Sl. No.	Name	Father's name	Home Address	If married, number of dependents	Occupation	Date of birth	Establishment by which released or transferred	Date of release or transfer	Terms of service
1	2	3	4	5	6	7	8	9	10

**THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL  
PERSONNEL IN NATIONAL SERVICE) RULES, 1963**

**FORM G**

Order requiring establishments to post notices on their premises  
(See section 25 and rule 29)

In exercise of the powers conferred on us by sub-section (1) of section 25 of the Defence of India Act, 1963, we do hereby require you the employer of.....being an establishment—

- (1) to post before the.....196 and keep posted and maintain in a legible condition in the language generally spoken in the locality or/and in.....in conspicuous places on your premises and at least at every entrance normally used by your employees a notice (in the attached form)\* making known the provisions of sub-sections (1) and (2) of section 25 of the Defence of India Act, 1962 (reproduced hereunder);
- (2) to read out the notice in the language generally spoken in the locality once in every month to all the persons working on the premises; and

\*Strike out if no form is provided by the Tribunal.

- (3) to intimate the following address as the place to which applications to the Tribunal may be addressed:—

.....  
 .....  
*Chairman or authorised officer,  
 National Service Tribunal.*

Dated.....the.....196  
 To .....

Relinquishment of employment by, dismissal of, and engagement by establishment of, technical personnel.

25 (1) Subject to any rules made in this behalf, a National Service Tribunal may require any establishment (including a notified establishment) to post before a specified date and to keep posted, on its premises notices intimating that—

(a) no person included within the definition of technical personnel who is employed in the establishment shall at any time after the posting of the notice, leave his employment without the previous permission in writing of the National Service Tribunal;

(b) if the National Service Tribunal refuses such permission, that tribunal may lay down subject to the prescribed conditions, the terms of service on which the employer shall, continue to retain him in employment;

(c) if any such person leaves his employment without the previous permission in writing of the Tribunal as aforesaid he may be directed by the Tribunal to return to his employment.

(2) After notices referred to in sub-section (1) have been posted on the premises of any establishment (including a notified establishment), no employer in the establishment shall engage, discharge or dismiss any person included in the definition of technical personnel except in accordance with rules made in this behalf.

## THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

### FORM H

Notice of summary enquiry to establishments

[See rule 9 (2)]

.....the employer of.....  
 an establishment situated at.....is hereby informed that a summary enquiry will be held under sub-rule (1) of rule 9 of the Defence of India (Employment of Technical Personnel in National Service) Rules, 1963 at.....A.M./P.M. on the.....196 at.....  
 to determine whether the said establishment should be required to release the undernoted technical personnel

for employment in the national service.

transfer to another form/place of employment in the national service.

If the said employer of the establishment has any objection to put forward to the release/transfer of the said personnel he should submit the same to the Tribunal on or before the above mentioned date and may, if he so desires, appear before the Tribunal on that date at the time fixed, failing which, orders will be passed *ex-parte*.

Name	Technical Personnel Date of birth	Occupation
.....	.....	.....
.....	.....	.....
.....	.....	.....

.....  
Chairman or authorised officer,  
National Service Tribunal.

Dated.....the.....196  
To

### THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

#### FORM J

Notice of summary enquiry to Technical Personnel

[See rule 9 (2)]

Shri..... son of..... by  
occupation..... at present employed in.....  
is hereby informed that a summary enquiry will be held under sub-rule (1) of  
rule 9 of the Defence of India (Employment of Technical Personnel in National  
Service) Rules, 1963 at..... A.M./P.M. on  
the.....19 at.....to determine whether he  
directed to under take employment in the national service.  
should be .....

transferred to another form/place of employment in the national service.

If Shri.....has any objection to put forward to  
being directed to undertake employment/being transferred, he should submit  
the same to the Tribunal on or before the above-mentioned date and may,  
if he wishes it, appear before the Tribunal on that date at the time fixed failing  
which, orders will be passed *ex-parte*.

.....  
Chairman or authorised officer,  
National Service Tribunal.

Dated.....the.....196  
To

### THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

#### FORM K

Application for Technical Personnel

[See section 22 (2) and rule 28]

1. Name and address of the notified .....  
establishment .....
2. Name and address of employer making .....  
the application .....

3. Technical personnel required (give details of occupations wanted) .....
4. Purpose for which personnel is required (state nature and purpose of work on which the personnel is to be employed) .....
5. State salary or wages paid to similar personnel in the notified establishment .....
6. Does the establishment maintain a Provident Fund or Superannuation Fund or any fund or scheme for the benefit of the employees? If so, give details .....
7. Does the establishment allow leave or holidays with pay to its employees? If so give details .....
8. Does the establishment provide (1) free accommodation (2) free medical attention, or (3) any other amenities for its employees? If so, give details .....
9. I hereby apply under the provisions of section 22 (2) of the Defence of India Act, 1962, for the allotment of the technical personnel described in item 3 above to.....being a notified establishment. I have read and understood the provisions of sub-section (2) of section 22 of the Defence of India Act, 1962.

Dated.....the.....196

*Signature of Employer.*

To

.....  
 .....  
 .....

### THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

#### FORM L

Order directing technical personnel to present themselves for interview, inquiry and submission to a test of their skill.

[See section 23 (2) (c) and rule 8 (3)]

In exercise of the powers conferred on us by clause (c) of sub-section (2) of section 23 of the Defence of India Act, 1962, we do hereby direct and require you Shri..... son of..... of..... by occupation..... to present yourself before..... at..... on the.....19 at.... A.M./P.M. for interview/inquiry and if required submit yourself to a test of your technical skill.

2. You will be deemed to be on duty during the period of your absence from work for the purpose specified in paragraph 1 and will be entitled to receive your salary or wages from your employer for the period of your absence not exceeding one day and from the Tribunal for any period in excess of one day. You will also receive your travelling expenses from the Tribunal.

*Chairman or authorised officer,  
 National Service Tribunal.*

Dated.....the.....196

To

.....  
 .....  
 .....

THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL  
PERSONNEL IN NATIONAL SERVICE) RULES, 1963

FORM M

Application for permission to discharge or dismiss technical personnel.

Notice of discharge or dismissal of technical personnel.

[See section 25 and rules 22 (1) and 29]

to be discharged

1. Name of personnel \_\_\_\_\_ or \_\_\_\_\_  
discharged
- dismissed.
2. Address (Permanent) .....
3. Address (Temporary) .....
4. Age .....
5. Occupation .....
6. Rate of Pay .....
7. Work on which engaged .....
8. Name of establishment where employ-  
ed and the date from which employed .....
9. Address of establishment .....
10. Reasons for the discharge or dismissal .....
11. Date from which discharge or dismissal  
to be  
is proposed \_\_\_\_\_ given effect to.  
was
12. Skill and capabilities of technical .....  
personnel .....  
(Please give sufficient indication to enable the Tribunal to judge to what  
extent the personnel may be suitable for employment in the National  
Service)

THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL  
PERSONNEL IN NATIONAL SERVICE) RULES, 1963

FORM M-I

Notice of release or removal of technical personnel from one establishment to  
another

[See section 25 and rules 22 (1) and 29]

1. Name of personnel released or removed .....
2. Address (Permanent) .....
3. Address (Temporary) .....
4. Age .....
5. Occupation .....
6. Rate of pay in previous and present  
employments .....
7. Work on which actually engaged in  
previous employment .....
8. Work on which actually engaged in  
present employment. ....
9. Name and address of the establishment  
where previously employed and the  
date from which employed. ....
10. Name and address of the establishment  
where at present employed and the  
date from which employed. ....
11. Reasons for release or removal .....
12. Date of release or removal .....

# THE DEFENCE OF INDIA (EMPLOYMENT OF TECHNICAL PERSONNEL IN NATIONAL SERVICE) RULES, 1963

## FORM N

Application of technical personnel for permission to leave employment  
[See section 25 (1) and rule 29 (2)]

1. Applicant's name .....
2. Address (Permanent) .....
3. Address (Temporary) .....
4. Age .....
5. Occupation .....
6. Rate of Pay .....
7. Name of establishment where employed  
and the date from which employed .....
8. Address of the establishment .....
9. Reasons why applicant wishes to leave .....

*Note 1.*—Applicants are advised to submit this application to the Tribunal through their employers as this will save time.

*Note 2.*—Employers forwarding applications are requested—

- (i) to state on the reverse what objection, if any, they have to the grant of permission under section 25 (1).
- (ii) to give sufficient details of the work on which the applicant is at present employed to indicate to what extent his services are essential or otherwise; and
- (iii) to indicate what degree of skill at his occupation the applicant is considered to possess.

## FORM O

### SERVICE CERTIFICATE

(See rule 23)

#### PART I—PERSONNEL PARTICULARS

1. Name (in BLOCK letters) .....
2. Father's name .....
3. Religion .....
4. Age or date of birth .....
5. Home Address:—
  - (a) Village .....
  - (b) Post Office .....
  - (c) Railway Station .....
  - (d) Tehsil or Sub-Division .....
  - (e) District .....
  - (f) State .....
6. Identification marks .....
7. Education (State standard attained) .....
8. Technical education or training, if any .....
9. Industrial Experience .....

#### PART II—DETAILS OF EMPLOYMENT

1. Name of establishment .....
2. Department(s) in which employed  
(state Ticket No. also) .....
3. Employed as (i) .....from .....to.....  
(ii) .....from .....to.....  
(iii) .....from .....to.....
4. Rate of pay on leaving service per  
month/per day/per hour .....



5. Reasons for leaving service .....
6. Time keeping .....
7. Proficiency in occupation .....
8. No. and date of authorisation issued by or notice given to Tribunal under section 25 and rule 22 in regard to leaving of employment/discharge/release/transfer. ....
9. Employee's signature or thumb print .....
10. Employer's signature and designation .....

*Date of issue.....*

### \*PART III—SUBSEQUENT EMPLOYMENTS

*\*Note.*—In respect of subsequent employments the particulars in “Part II—Details of employment” should be furnished by each subsequent employer.

[No. /F. 3/63-Poll (Spl.)]

HARI SHARMA,

*Additional Secretary.*

## LOCAL SELF GOVERNMENT DEPARTMENT

### CORRIGENDUM

*Simla-4, the 26th April, 1963*

**No. 13-14/62-LSG.**—Please read “members” for the word “member” in line 6 of this department notification of even No. dated the 8th April, 1963, published in the Extraordinary Gazette of the 10th April, 1963.

By order,

S. R. MAHANTAN,

*Under Secretary.*

